

001863

REQUEST FOR COUNCIL ACTION

CITY OF SAN DIEGO

1. CERTIFICATE NUMBER
(FOR AUDITOR'S USE)

125

TO: CITY ATTORNEY

2. FROM (ORIGINATING DEPARTMENT):

Customer Services Department

3. DATE:

12/02

August 8, 2008

4. SUBJECT:

Conflict of Interest Code for Customer Services Department

5. PRIMARY CONTACT (NAME, PHONE, & MAIL STA.)

Diana Rhodes, x33913, 56C

6. SECONDARY CONTACT (NAME, PHONE, & MAIL STA.)

7. CHECK BOX IF REPORT TO COUNCIL IS ATTACHED :

8. COMPLETE FOR ACCOUNTING PURPOSES

FUND	N/A			
DEPT.	N/A			
ORGANIZATION	N/A			
OBJECT ACCOUNT	N/A			
JOB ORDER	N/A			
C.I.P. NUMBER	N/A			
AMOUNT	\$0.00			

9. ADDITIONAL INFORMATION / ESTIMATED COST:

10. ROUTING AND APPROVALS

ROUTE (#)	APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED	ROUTE (#)	APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED
1	ORIGINATING DEPARTMENT	WENDI S. BRICK	11-17-08	2	DEPUTY CHIEF	ELMER L. HEAP, JR.	
				3	CITY ATTORNEY	Diana Rhodes	11/18/08
					ORIG. DEPT	Diana Rhodes	11/18/08
					DOCKET COORD:	COUNCIL LIAISON	
					COUNCIL PRESIDENT	<input type="checkbox"/> SPOB <input checked="" type="checkbox"/> CONSENT <input type="checkbox"/> ADOPTION	
					REFER TO:	COUNCIL DATE: 12/2/08	

11. PREPARATION OF:

☒ RESOLUTIONS☐ ORDINANCE(S)☐ AGREEMENT(S)☐ DEED(S)

Adopting the revised Conflict of Interest Code for Customer Services Department.

11A. STAFF RECOMMENDATIONS:

Approve and Adopt the Revised Conflict of Interest Code and appendices for Customer Services Department as submitted.

12. SPECIAL CONDITIONS:

COUNCIL DISTRICT(S): ALL**COMMUNITY AREA(S):** ALL**CITY CLERK INSTRUCTIONS:** Please forward a copy of the resolution to Customer Services, Diana Rhodes, MS 56C**ENVIRONMENTAL IMPACT:** This activity is not a "project" and therefore is exempt from CEQA, pursuant to section 15060[c][3].**HOUSING IMPACT:** None.**OTHER ISSUES:**

001871

EXECUTIVE SUMMARY SHEET

DATE ISSUED: August 08, 2008

REPORT NO.:

ATTENTION: Council President and City Council
ORIGINATING DEPARTMENT: Customer Services Department
SUBJECT: Conflict of Interest Code for Customer Services Department
COUNCIL DISTRICT(S): All.
STAFF CONTACT: Diana Rhodes (53-33913)

REQUESTED ACTION:

This action is to request adoption of revised Customer Services Department's Conflict of Interest Code.

STAFF RECOMMENDATION:

- Authorize the revision of Customer Services Department's Conflict of Interest Code.

EXECUTIVE SUMMARY:

The Conflict of Interest Code for Customer Services Department previously ratified by City Resolution – R – 302201 effective December 15, 2006. This revision is intended to conform to Government Code 87306.5 requiring biennial review and update of local conflict of interest codes as reflected in City Council Resolution No. R-303719 adopted on May 27, 2008. The Customer Services Department's code has been revised to include a new position and to revise a position description.

FISCAL CONSIDERATIONS:

Not Applicable.

PREVIOUS COUNCIL and/or COMMITTEE ACTION:

Previous City Council Resolution No. R-302201 adopted on December 15, 2006.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:

Not Applicable.

KEY STAKEHOLDERS AND PROJECTED IMPACTS:

Not Applicable.



Originating Department

Deputy Chief Operating Officer

Attachments:

1. Appendix A – Customer Services Department Designated Positions, Duties and Categories
2. Appendix B – Customer Services Department Conflict of Interest Code Disclosure Categories


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2008 Local Agency Biennial Notice

Name of Agency: Customer Services Department
Mailing Address: 1200 Third Avenue, Suite 924 and Suite 1300; San Diego, CA 92101
Contact Person: Diana Rhodes
Phone Number: (619) 533-3913 Fax Number: (619) 533-6515
E-mail: drhodes@sandiego.gov

This agency has reviewed its conflict of interest code and has determined that:

- v The code needs to be amended and the following amendments are necessary:
(Check all that apply)
- v Include new positions (including consultants) which must be designated (App. A)
- Delete positions that manage public investments from the list of designated positions.
- Revise disclosure categories (App. B)
- Revise the titles of existing positions (App. A)
- Delete the titles of positions that have been abolished (App. A)
- v Other – Revise position description for the Community Service Center Program Manager and Assistant to the Director positions.
- ☐ Summary of documented dispute and resolution
- No amendments are necessary. The agency's code accurately designates all positions that make or participate in the making of governmental decisions; the disclosure categories assigned to those positions accurately require the disclosure of all investments, business positions, interests in real property and sources of income which may foreseeably be affected materially by the decisions made by those holding the designated positions; and the code includes all other provisions required by Government Code Section 87302.


Signature of Department Director

8-7-08
Date

You must complete this report regardless of how recently your code was approved or amended.

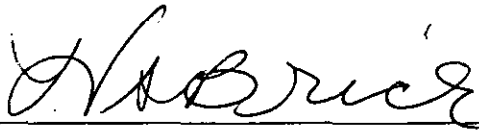
Please return this report by August 22, 2008, to:

Denise Jenkins, Elections Analyst
Office of the City Clerk
202 C Street, MS 2A, San Diego, CA 92101

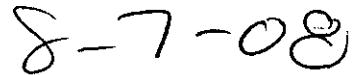
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CERTIFICATION

The foregoing amendment to the Conflict of Interest Code was prepared by the City of San Diego's Customer Services Department after a fair opportunity was offered to the affected staff members of the department to present their views.



Customer Services Department Director



Date

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**CUSTOMER SERVICES DEPARTMENT
CONFLICT OF INTEREST CODE**

**APPENDIX A
DESIGNATED POSITIONS, DUTIES AND CATEGORIES**

POSITION	DUTIES	CATEGORY
Director	Administration of the <u>Policy guidance, management and administration of</u> Customer Services Department.	1
Citizens' Assistance Program Manager	Policy <u>and procedural</u> guidance and management of the City <i>Information Center, the Route Slip System for handling</i> constituent complaints, and City Ombuds Services.	2
Community Service Center Program Manager	Policy guidance and coordination of the Community Service Center Program and Citywide Volunteer Programs . Oversees six Community Service Centers and acts as liaison between the Mayor's Office, the City Council, and the community.	2
Community <u>Services</u> Service Center Manager	Manage individual Community Service Centers; duties include community collaboration, interaction with City officials and non-City organizations.	2
<u>Citywide Training Program</u> Manager	<u>Policy guidance and management of the Citywide Training efforts. The position oversees and coordinates the Citywide Trainers' Committee, as well as, determines and coordinates Citywide Training needs.</u>	<u>2</u>
<u>Customer Services</u> <u>Fiscal/Administrative Manager</u>	<u>Fiscal and administrative manager for the Customer Services Department.</u>	<u>2</u>
Assistant to the Director	Assist the Director of Customer Services in implementing the Customer Services Initiative and assist in other Customer Service duties as assigned. Draft proclamations, special commendations, and certificates for the Mayor's Office.	2
Consultants	As specified in <u>Determined by</u> Contract. <u>Disclosure will be as required.</u> See Appendix B	3

**CUSTOMER SERVICES DEPARTMENT
CONFLICT OF INTEREST CODE**

**APPENDIX B
DISCLOSURE CATEGORIES**

CATEGORY 1:

- a. Investments and business positions in any business entity located in or doing business with the City of San Diego.
- b. Income and gifts from sources located in or doing business with the City of San Diego.
- c. Interest in real property located in the City of San Diego, including property located within a two-mile radius of any property owned or used by the City.

CATEGORY 2:

- a. Investments and business positions in any firm or business entity that supplies goods or services to the City, that is a tenant of the City, that is an adverse party to the City in a legal proceeding, or is granted authority by the City to use City facilities.
- b. Income and gifts from any person or business entity that supplies goods or services to the City, who is a tenant of the City, who is an adverse party to the City in a legal proceeding, or who is granted authority by the City to use City facilities.
- c. Interest in real property located in the City of San Diego, including property located within a two-mile radius of any property owned or used by the City.

CATEGORY 3:

Consultants shall be included in the list of designated employees and shall disclose pursuant to the broadest disclosure category in the code subject to the following limitations:

The Mayor, the Customer Services Director or designee may determine in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements in this section. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. That determination is a public record and shall be retained for public inspection in the same manner and location as this conflict of interest code.

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**CUSTOMER SERVICES DEPARTMENT
CONFLICT OF INTEREST CODE**

**APPENDIX A
DESIGNATED POSITIONS, DUTIES AND CATEGORIES**

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Director	Policy guidance, management and administration of Customer Services Department.	1
Citizens' Assistance Program Manager	Policy and procedural guidance and management of the City Information Center, the Route Slip System for handling constituent complaints, and City Ombuds Services.	2
Community Service Center Program Manager	Policy guidance and coordination of the Community Service Center Program. Oversees six Community Service Centers and acts as liaison between the Mayor's Office, the City Council, and the community.	2
Community Services Manager	Manage individual Community Service Centers; duties include community collaboration, interaction with City officials and non-City organizations.	2
Citywide Training Program Manager	Policy guidance and management of the Citywide Training efforts. The position oversees and coordinates the Citywide Trainers' Committee, as well as, determines and coordinates Citywide Training needs.	2
Customer Services Fiscal/Administrative Manager	Fiscal and administrative manager for the Customer Services Department.	2
Assistant to the Director	Assist the Director of Customer Services in implementing the Customer Services Initiative and assist in other Customer Service duties as assigned.	2
Consultants	Determined by contract. Disclosure will be as required. See Appendix B	3

**CUSTOMER SERVICES DEPARTMENT
CONFLICT OF INTEREST CODE**

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RESOLUTION NUMBER R-_____

DATE OF FINAL PASSAGE _____

RESOLUTION ADOPTING A REVISED CONFLICT OF
INTEREST CODE FOR THE CUSTOMER SERVICES
DEPARTMENT

WHEREAS, Government Code sections 87300 and 87302 require local agencies to adopt conflict of interest codes designating positions that involve the making or participation in making of decisions which may foreseeably have a material effect on financial interests, and for each position, the financial interests which are reportable; and

WHEREAS, in compliance with Government Code section 87306.5, the City is in the midst of a required City-wide biennial review of all conflict of interest codes for which the City Council serves as code-reviewing body; and

WHEREAS, by Resolution R-303718 (approved by the City Council on May 20, 2008), the City Council directed every City department, agency, board and commission for which the City Council serves as code-reviewing body to make biennial reports and to update their conflict of interest codes as necessary; and

WHEREAS, as the City's code-reviewing body, the City Council finds it in the public interest to adopt the standard conflict of interest code promulgated by the California Fair Political Practices Commission [FPPC] in Regulation 18730, and hereby declares its intention to incorporate by reference the terms of FPPC Regulation 18730 and any amendments to that regulation duly adopted by the FPPC as part of each conflict of interest code for which the City Council has responsibility; and

WHEREAS, by Resolution No. 302201, the City Council on December 5, 2006, approved a revised Conflict of Interest Code for the Customer Services Department; and

WHEREAS, the Customer Services Department now seeks to revise its conflict of interest code to include new positions that must be designated and revise the position description for two other positions; and

WHEREAS, the City Council concurs that a revised Conflict of Interest Code be adopted for the Customer Services Department; and

WHEREAS, Government Code section 87303 provides that when a proposed conflict of interest code or amendment is approved by the code-reviewing body, it shall be deemed adopted, and, accordingly, this resolution is not subject to veto by the Mayor; NOW THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that a Conflict of Interest Code for the Customer Services Department is hereby adopted, consisting of standard language embodied in title 2, section 18730 of the California Code of Regulations, and any amendments to that regulation duly adopted by the Fair Political Practices Commission, with Appendix A showing designated positions and their duties, and Appendix B showing the disclosure categories.

BE IT FURTHER RESOLVED, that a copy of Appendix A and Appendix B to the Conflict of Interest Code for the Customer Services Department as adopted be placed on file in the Office of the City Clerk as Document No. RR-_____.

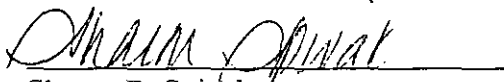
BE IT FURTHER RESOLVED, that the persons whose positions are designated in the revised Conflict of Interest Code for the Customer Services Department shall file their statements of economic interest with the City Clerk in compliance with the schedule set forth in

Government Code section 87302(b) and Fair Political Practices Commission Regulation 18730, or any amendments thereto, which set forth the deadlines for the filing of initial statements, assuming office statements, annual statements and leaving office statements.

BE IT FURTHER RESOLVED, that the statements of economic interest filed by designated persons be retained by the Office of the City Clerk and be made available for public inspection and reproduction.

BE IT FURTHER RESOLVED, that the Conflict of Interest Code for the Customer Services Department becomes effective upon the date of adoption of this resolution.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By 
Sharon B. Spivak
Deputy City Attorney

SBS:als
11/14/08
Or.Dept:Customer Services
R-2009-209